

REMARKS

The Final Office Action dated July 1, 2009 has been reviewed and carefully considered. Claims 1, 5-12 and 16-25 are pending. Independent claims 1, 12 and 23 have been amended. Support for these amendment can be found at least on page 6, lines 9-21. Reconsideration of the above-identified application in light of the amendments and remarks is respectfully requested.

Claims 1, 5-12 and 16-25 stand rejected under 35 USC 103(a) as being unpatentable over Ohno (U.S.P. No. 7,142,777) in view of Gorbатов et al. (U.S. P. No. 6,792,617).

Amended Claim 1 recites the limitations of “a means for receiving a data stream, one start data packet and one end data packet for the selected program.” Applicant respectfully submits that Ohno and Gorbатов, alone or in combination fail to show these limitations.

Ohno teaches an apparatus for receiving a data train multiplexing a plurality of programs each constituted of a plurality of transmission packets and recording the received data train in a storage medium. See Abstract. Further, Ohno shows how *each* packet data is processed/demultiplexed and decoded; see col. 4, lines 51-67. Applicants can find nothing that teaches receiving a data stream with one start data packet and one

end data packet for the selected program, as claimed in claim 1. Independent claim 12 and 23 recite similar limitations.

The Final Office Action indicates that the packets of Ohno “are part of an entire program, they are therefore associated with an entire program.” However, Ohno does not teach a (one) start data packet, and an (one) end data packet for the entire selected program, as claimed in the present invention.

The addition of Gorbatov fails to cure the limitations of Ohno.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

The applicant submits that the claims, as they now stand, fully satisfy the requirements of 35 U.S.C. 103. Favorable reconsideration and early passage to issue of the present application are respectfully solicited.

Respectfully submitted,

Dan Piotrowski
Registration No. 42,079

A handwritten signature in black ink, appearing to read 'Thomas J. Onka', written over a horizontal line.

By: Thomas J. Onka
Attorney for Applicant
Registration No. 42,053

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Mail all correspondence to:

Dan Piotrowski, Registration No. 42,079
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615